

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)	
	)	
Jean-Christophe CHARLIER et al.	)	Group Art Unit: Not Yet Assigned
	)	
Application No.: 10/550,158	)	Examiner: Not Yet Assigned
	)	
International Filing Date: March 22, 2004	)	
	)	
For: CARBON NANOSTRUCTURES	)	Confirmation No. 5335
AND PROCESS FOR THE	)	
PRODUCTION OF CARBON-	)	
BASED NANOTUBES,	)	
NANOFIBRES AND	)	
NANOSTRUCTURES	)	

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RENEWED PETITION UNDER 37 C.F.R. § 1.497(d)**

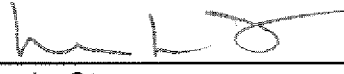
In response to the Decision on Applicants' "Request to Correct Inventorship under 37 C.F.R. § 1.48(a)," dated February 7, 2007, Applicants hereby submit an Amended Assignees Consent under 37 C.F.R. § 3.73(b), which includes a copy of the signed assignment, and in which the Assignees consent to the change in inventorship. Applicants also enclose a copy of the Request to Correct Inventorship under 37 C.F.R. § 1.48(a) and a copy of the Statement under 37 C.F.R. § 1.497(d)(1), both of which were originally filed October 10, 2006.

If there is any fee due in connection with the filing of this renewed petition, please charge the fee to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: April 5, 2007

By:   
\_\_\_\_\_  
Lauren L. Stevens  
Reg. No. 36,691

Tel: (650) 849-6614  
Email: lauren.stevens@finnegan.com

PATENT  
Customer No. 22,852  
Attorney Docket No. 08960.0007-00000

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Commissioner for Patents  
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Alexandria, VA 22313-1450

Sir:

**AMENDED ASSIGNEES CONSENT UNDER 37 C.F.R. 3.73(b)**

TIMCAL S.A., of Switzerland, and ARMINES ASSOCIATION POUR LA RECHERCHE ET LE DEVELOPPEMENT DES METHODES ET PROCESSUS INDUSTRIELS, of France, submit that they are the co-owners and Assignees of the entire right, title and interest of U.S. Application No. 10/550,158, by virtue of assignment from the inventors, a copy of which is attached hereto.

Assignees consent to the change in inventorship under 37 C.F.R. § 1.497(d)(3), pursuant to a Request to Add Inventors filed October 10, 2006.

The undersigned directors (whose titles are supplied below) are empowered to sign this authorization on behalf of the Assignees.

We hereby declare that all statements made herein of our own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: April 5, 2007

TIMCAL S.A.

**TIMCAL**  
GROUP

Timcal Ltd.  
CH-6743 Bodio  
Switzerland

By: \_\_\_\_\_

D. Cattaneo

E. Rossetti

Title: General Manager

Plant Manager

Dated: April 5, 2007

ARMINES ASSOCIATION POUR LA  
RECHERCHE ET LE DEVELOPPEMENT DES  
METHODES ET PROCESSUS INDUSTRIELS

By: \_\_\_\_\_

PASCAL IRIS

Title: \_\_\_\_\_

DIRECTEUR

**ARMINES**  
60, Boulevard Saint-Michel  
75272 PARIS CEDEX 06  
Tél. : 01 40 51 90 50  
Fax : 01 40 51 00 94  
SIRET : 775 664 113 00013

Le Directeur

Pascal IRIS

## ASSIGNMENT

WHEREAS We, the below named inventors, [hereinafter referred to as Assignors], have made an invention entitled:

### **CARBON NANOSTRUCTURES AND PROCESS FOR THE PRODUCTION OF CARBON-BASED NANOTUBES, NANOFIBRES AND NANOSTRUCTURES**

for which We executed an application for United States Letters Patent filed an application for United States Letters Patent on September 20, 2005, (Application No. 10/550,158); and

WHEREAS, ARMINES Association Pour La Recherche et le developpement des methodes et processus industriels, a corporation of France whose post office address is 60 Boulevard Saint-Michel, 75272, Paris, CEDEX 06, (hereinafter referred to as Assignee), and TIMCAL S.A., a corporation of Switzerland whose post office address is Strada Industriale, CH-6743 Bortio (hereinafter referred to as Assignee), are desirous of securing the entire right, title, and interest in and to this invention in all countries throughout the world, and in and to the application for United States Letters Patent on this invention and the Letters Patent to be issued upon this application;

NOW THEREFORE, be it known that, for good and valuable consideration the receipt of which from Assignee is hereby acknowledged, We, as Assignors, have sold, assigned, transferred, and set over, and do hereby sell, assign, transfer, and set over unto the Assignee, its lawful successors and assigns, our entire right, title, and interest in and to this invention, German Patent Application No. 10312494.2, filed March 20, 2003, PCT International Application No. PCT/EP2004/003000, filed March 22, 2004, and this application, and all divisions, and continuations thereof, and all Letters Patent of the United States which may be granted thereon, and all reissues thereof, and all rights to claim priority on the basis of the above priority applications, as well as all rights to claim priority on the basis of this application, and all applications for Letters Patent which may hereafter be filed for this invention in any foreign country and all Letters Patent which may be granted on this invention in any foreign country, and all extensions, renewals, and reissues thereof; and We hereby authorize and request the Commissioner of Patents and Trademarks of the United States and any official of any foreign country whose duty it is to issue patents on applications as described above, to issue all Letters Patent for this invention to Assignee, its successors and assigns, in accordance with the terms of this Assignment;

AND, WE HEREBY covenant that We have the full right to convey the interest assigned by this Assignment, and We have not executed and will not execute any agreement in conflict with this Assignment.

AND, WE HEREBY further covenant and agree that We will, without further consideration, communicate with Assignee, its successors and assigns, any facts known to us respecting this invention, and testify in any legal proceeding, sign all lawful papers when called upon to do so, execute and deliver any and all papers that may be necessary or desirable to perfect the title to this invention in said Assignee, its successors or assigns, execute all divisions, continuation, and reissue applications, make all rightful oaths and generally do everything possible to aid Assignee, its successors and assigns, to obtain and enforce proper patent protection for this invention in the United States and any foreign country, it being understood that any expense incident to the execution of such papers shall be borne by the Assignee, its successors and assigns.

IN TESTIMONY WHEREOF, We have hereunto set our hands.

Name: Jean Christophe CHARLIER  
Address: Chemin de Souline, 38, Surice (Phillipville),  
5500 Belgium

By: \_\_\_\_\_  
Date: \_\_\_\_\_

March 28<sup>th</sup>, 2007



SOLE/JOINT INVENTION  
(Worldwide Rights)  
Attorney Docket No. 08960.0007-00000

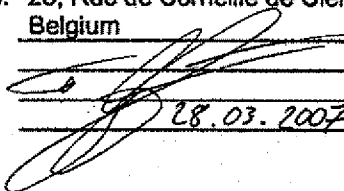
Name: Frederic FABRY  
Address: N°2, Le Clos Fleuri, 271,  
Avenue du Général de Gaulle, Le Cannet,  
06110 France  
By: [Signature]  
Date: March 28, 2007

Name: Gilles FLAMANT  
Address: Mas Palires, LLO, 66800, France  
By: [Signature] G. Flamant  
Date: March 28, 2007

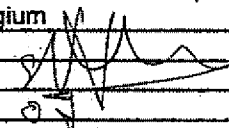
Name: Laurent FULCHÉRI  
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By: [Signature] Laurent Fulcheri  
Date: March 28, 2007

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Address: 134-136, Boulevard du Président Wilson,  
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Date: March 28, 2007

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Japan  
By: 奥野 肇子  
Date: 28.03.2007

Name: Nicolas PROBST  
Address: 77 Avenue des Frères Becqué, Bruxelles,  
1082, Belgium  
By:   
Date: 28.03.07

CERTIFICATE UNDER 37 CFR § 1.10 OF MAILING BY "EXPRESS MAIL"

October 10, 2006

Date of Deposit

By:

~~Nancy Foster~~

Attorney Docket No. 08960.0007-00000

Applicants hereby request under the provisions of 37 C.F.R. § 1.48(a) that the inventorship in the above-identified application, U.S. Application No. 10/550,158, be corrected by adding Laurent Fulchéri as an inventor. We enclose with this request a statement from Mr. Fulchéri which states that the error in not naming him as an inventor occurred without any deceptive intent on his or her part. Also enclosed with this request is a Declaration and Power of Attorney signed by each of the actual inventors.



In addition, we enclose with this request the Assignees Consent Under 37 C.F.R. § 3.73(b), which has been signed by the assignees and co-owners of the entire right, title, and interest of U.S. Application No. 10/550,158.


Please charge \$130.00 to Deposit Account No. 06-0916 to cover the processing fee set forth in 37 C.F.R. § 1.17(i).

Please grant any extensions of time required to enter this request and charge any additional required fees to Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: October 10, 2006

By:   
Lauren L. Stevens  
Reg. No. 36,691  
Customer No. 22,852

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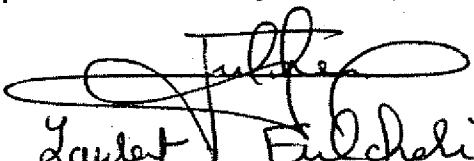
Sir:

**STATEMENT UNDER 37 C.F.R. § 1.497(d)(1)**

Pursuant to 37 C.F.R. § 1.497, I, Laurent FULCHÉRI, should be added as an inventor in the above-identified patent application. The error in inventorship occurred without any deceptive intention on my part.

All statements made herein of my own knowledge are true, and all statements made on information and belief are believed to be true. These statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: September 25, 2006

By:   
Laurent FULCHÉRI